

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DUSTIN GLENN,

Petitioner,

: Case No. 3:17-cv-435

- vs -

District Judge Walter H. Rice
Magistrate Judge Michael R. Merz

PREBLE COUNTY SHERIFF
DEPARTMENT AND STATE OF
OHIO

:

Respondent.

SUPPLEMENTAL REPORT AND RECOMMENDATIONS

This habeas corpus case is before the Court on Petitioner's Emergency Motion for Reconsideration of the final judgment (ECF No. 59). Treating the motion as made under Fed. R. Civ. P. 59(e), the Magistrate Judge recommended denying it because Glenn showed no error in the final judgment and in particular did not submit any substantive objections Report and Recommendations for dismissal (Report and Recommendations, ECF No. 60). Glen has objected again (ECF No. 61) and District Judge Rice has recommitted the case (ECF No. 62).

Glenn still offers no substantive objections to dismissal, despite the fact that the Report recommending dismissal was filed and served more than three months ago. Instead, he essentially seeks a further extension to some unspecified time in the future to file objections.

The Emergency Motion for Reconsideration (ECF No. 59) should be DENIED.

September 27, 2018.

s/ *Michael R. Merz*
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by mail. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 153-55 (1985).